

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JEREMY T. FOGLESONG and
DAWN E. FOGLESONG, husband
and wife,

Plaintiffs,

v.

JAMES B. KASSNER, TRUSTOR
AND/OR TRUSTEE OF THE J.B.
KASSNER LIVING TRUST,
DATED APRIL 22, 1994;
WASHINGTON CONTRACT AND
TRUSTEE SERVICES, INC., a
Washington Corporation,

Defendants.

NO. CV-05-3059-RHW

**ORDER DISMISSING CASE
WITHOUT PREJUDICE**

A telephonic hearing was held on February 9, 2006, in response to the January 18, 2006, Court Order directing Plaintiffs to address why this action should not be dismissed without prejudice. Bruce Danielson represented Defendants. Plaintiffs did not participate.

Accordingly, **IT IS HEREBY ORDERED** that the above-captioned case is **dismissed without prejudice**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order and forward copies to counsel and Plaintiffs.

DATED this 10th day of February, 2006.

s/ Robert H. Whaley

ROBERT H. WHALEY
Chief United States District Judge

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ORDER DISMISSING CASE WITHOUT PREJUDICE ~ 1